



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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VALLAIR SOLUTIONS SARL

Plaintiff,

- against -

321 PRECISION CONVERSIONS LLC

Defendant.
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21-CV-7507 (CM) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

This order resolves Defendant Precision's request at Dkt. 151 for an order permitting Precision to disclose non-party EFW documents to Precision's experts. Precision represents that its experts have signed the undertaking to the protective order governing confidential information prohibiting them from disclosing the information provided or using it for any purposes other than this lawsuit. (Dkt. 151 at 2.) Precision further represents that none of its experts work for a competitor of EFW. (*Id.*)

In response, Vallair raises concerns about its obligations to EFW with respect to disclosure of EFW's documents. Vallair proposes that an order issue permitting dissemination of the EFW documents be limited to experts who will testify at trial but that dissemination of the EFW documents to the experts be held in abeyance for two weeks to give EFW an opportunity to make a motion if it so desires. (Dkt. 155.) Vallair also asks that any personal information covered by the German Data Protection Regulation ("GDPR") in any EFW material disclosed to experts be redacted.

Having considered the parties' arguments, the Court orders as follows: Precision may disclose the EFW documents to its retained experts expected to testify at trial, provided (i) the expert does not work for any entity that competes with EFW; (ii) the expert

has signed the undertaking to the protective order; and (iii) any personal data covered by the GDPR be redacted in advance. Precision shall not disclose any EFW documents to its experts prior to June 26, 2023 in order to give EFW an opportunity take any legal action it believes is warranted. If Precision has a need to disclose EFW documents to non-testifying experts, it may separately raise that issue.

The Clerk of Court is respectfully requested to terminate the letter motions at Dkt. 151.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: June 16, 2023
New York, New York

Copies transmitted this date to all counsel of record.